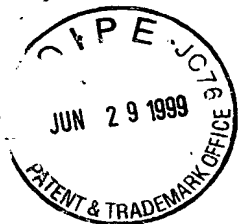


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<b>STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) &amp; 1.27(c)) --SMALL BUSINESS CONCERN</b>		Docket Number (Optional) 20991-701										
Applicant, Patentee, or Identifier:	Yeogirl Yun; Brad Park											
Application or Patent No.:	09/287,296											
Filed or Issued:	April 7, 1999											
Title:	Method and Apparatus for Defining Data of Interest											
I hereby state that I am <table border="1"><tr><td><input type="checkbox"/></td><td>the owner of the small business concern identified below</td></tr><tr><td><input checked="" type="checkbox"/></td><td>an official of the small business concern empowered to act on behalf of the concern identified below</td></tr></table>			<input type="checkbox"/>	the owner of the small business concern identified below	<input checked="" type="checkbox"/>	an official of the small business concern empowered to act on behalf of the concern identified below						
<input type="checkbox"/>	the owner of the small business concern identified below											
<input checked="" type="checkbox"/>	an official of the small business concern empowered to act on behalf of the concern identified below											
NAME OF SMALL BUSINESS CONCERN	mySimon, Inc.											
ADDRESS OF SMALL BUSINESS CONCERN	2933 Bunker Hill Lane, Suite 202, Santa Clara, CA 95054											
<p>I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:</p> <table border="1"><tr><td><input type="checkbox"/></td><td>the specification filed herewith with title as listed above</td></tr><tr><td><input checked="" type="checkbox"/></td><td>the application identified above</td></tr><tr><td><input type="checkbox"/></td><td>the patent identified above</td></tr></table> <p>If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).</p> <p>Each person, concern, or organization having any rights in the invention is listed below:</p> <table border="1"><tr><td><input checked="" type="checkbox"/></td><td>no such person, concern, or organization exists</td></tr><tr><td><input type="checkbox"/></td><td>each such person, concern, or organization is listed below.</td></tr></table>			<input type="checkbox"/>	the specification filed herewith with title as listed above	<input checked="" type="checkbox"/>	the application identified above	<input type="checkbox"/>	the patent identified above	<input checked="" type="checkbox"/>	no such person, concern, or organization exists	<input type="checkbox"/>	each such person, concern, or organization is listed below.
<input type="checkbox"/>	the specification filed herewith with title as listed above											
<input checked="" type="checkbox"/>	the application identified above											
<input type="checkbox"/>	the patent identified above											
<input checked="" type="checkbox"/>	no such person, concern, or organization exists											
<input type="checkbox"/>	each such person, concern, or organization is listed below.											
NAME OF SMALL BUSINESS CONCERN												
ADDRESS OF SMALL BUSINESS CONCERN												
<p>Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities (37 CFR 1.27)</p> <p>I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).</p> <p>NAME OF PERSON SIGNING <u>Yeogirl Yun</u></p> <p>TITLE OF PERSON IF OTHER THAN OWNER <u>CTO</u></p> <p>ADDRESS OF PERSON SIGNING <u>2933 Bunker Hill Lane, Suite 202, Santa Clara, CA 95054</u></p> <p>SIGNATURE <u>[Signature]</u> DATE <u>6/22/99</u></p>												

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



#3

PATENT  
Attorney Docket No. 20991.701

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR DEFINING DATA OF INTEREST**

the specification of which

\_\_\_\_\_ is attached hereto.

  X   was filed on April 7, 1999 as Application No. 09/287,296  
and was amended on \_\_\_\_\_.  
(If Applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a) which states in relevant part: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section....The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98."

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), and under §119(e) of any United States provisional application(s), listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Patented, Pending, Abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Patented, Pending, Abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, and to file, prosecute and to transact all business in connection with international applications directed to said invention:

Paul Davis	29,294
John J. Bruckner	35,816
Michael J. Murphy	37,404
David J. Weitz	38,362
Kent R. Richardson	39,443
David J. Abraham	39,554
U.P. Peter Eng	39,666
George A. Willman	41,378
Henry J. Groth	39,696
Steven J. Benerofe	41,613
Travis L. Dodd	42,491
Jinntung Su	42,174
Van Mahamedi	42,828

Address all correspondence to:

Kent R. Richardson  
Wilson Sonsini Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, CA 94304

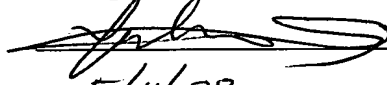
Direct all telephone calls to Kent Richardson at (650) 493-9300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or  
first inventor:

Yeogirl Yun

Inventor's signature:



Date:

5/11/99

Citizenship:

Republic of Korea

Residence:

1267 Lakeside Drive, #2085, Sunnyvale, CA 94086

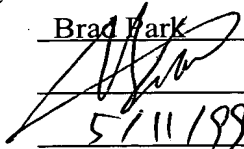
Post Office Address:

Same as above.

Full name of second joint  
inventor, if any:

Brad Park

Inventor's signature:



Date:

5/11/99

Citizenship:

Republic of Korea

Residence:

1263 Lakeside Drive, #1184, Sunnyvale, CA 94086

Post Office Address:

Same as above.